

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA
upon the relation and for the use of the
TENNESSEE VALLEY AUTHORITY
Plaintiff

v.

Civil Action No. 1:09-CV-00010
Judge Wiseman

EASEMENTS AND RIGHTS-OF-WAY
OVER 0.24 ACRE OF LAND, MORE OR
LESS, IN MAURY COUNTY,
TENNESSEE, and
CORNERSTONE LAND COMPANY
GREENBANK
C. RICHARD BOBO, trustee
KENNETH CLARK HOOD, trustee
Defendants

JUDGMENT

This action came on to be considered, and it appears to the Court, as evidenced by the signatures below, that the parties have agreed to resolve this action as hereinafter provided;

It is, therefore, Ordered and Adjudged that:

1. The Defendants shall recover of Plaintiff \$120,000 as full compensation for the taking of the easements and rights-of-way herein condemned (including rights which expired upon entry of this Court's September 21, 2010 Order (DN 15)), and in full satisfaction of all claims that they may have against Plaintiff, the Tennessee Valley Authority, and their contractors arising prior to September 1, 2010, with respect to the property involved in this action.

2. The amount of \$120,000 referred to in Paragraph 1, above, has been disbursed to Defendants pursuant to this Court's Agreed Order Allowing Withdrawal of Funds, dated May 28, 2009 (DN 11), and such disbursement is in full satisfaction of this Judgment.

2. The vesting of title in the United States of America, free of all liens, claims, and encumbrances, as evidenced by the Declaration of Taking filed herein on March 10, 2009 (DN 2), as amended by this Court's Order Adjusting Rights-of-Way Taken and Amending the Caption of this Action, dated September 21, 2010 (DN 15), is hereby fully and finally confirmed with respect to the easement and right-of-way described and referred to below (said description being the same as in the Declaration of Taking filed herein on March 10, 2009, as adjusted by this Court's Order dated September 21, 2010).

Permanent easement and right-of-way, consisting of the perpetual right to enter and to erect, maintain, repair, rebuild, operate, and patrol lines of transmission line structures with sufficient wires and cables for electric power circuits and communication circuits, and all necessary appurtenances, in, on, over, and across said right-of-way, together with the right to clear said right-of-way and keep the same clear of all trees, brush, buildings, signboards, billboards, stored personal property, and fire hazards, to destroy or otherwise dispose of such trees and brush, to prevent the drilling or sinking of wells within the right-of-way, and to remove, destroy, or otherwise dispose of any trees located beyond the limits of said right-of-way which in falling could come within ten feet of any transmission line structure or conductor located thereon, the Tennessee Valley Authority (TVA) to remain liable for any direct physical damage to the land, annual crops, fences, and roads resulting directly from the operations of its construction and maintenance forces in the exercise of said right.

TRACT NO. HRM-267B

A permanent easement and right-of-way for transmission line(s) purposes on, over, and across a parcel of land located in the Third Civil District of Maury County, State of Tennessee, as shown on sheet 1 of US-TVA drawing MW-8726, R.1, the said parcel being more particularly described as follows:

Commencing at a 5/8" rebar (found) being a common corner between the lands of Cornerstone Land Company and CTR Properties; said rebar being 2.90 feet right of the centerline of the transmission line location at survey station 3672+45.04 of the existing Hartsville-Maury transmission line, thence S. 82° 42' 39" E., 207.78 feet to a point on the southeast right-of-way line of the Hartsville-Maury transmission line, the said point being 87.50 feet left of the centerline of the transmission line location at survey station 3670+57.96 and also being the Point of Beginning; thence leaving the said southeast right-of-way line for TVA Tract No. HRM-267 the following bearings and distances; S. 18° 38' 51" E., 75 feet to a point which is 162.50 feet left of the centerline of the location at survey station 3670+57.76 on the Hartsville-Maury transmission line; S. 71° 30' 00" W., 156.20 feet to a point which is located on the east edge of right-of-way for the Maury-Radnor #2 Tap to Rally Hill and being 162.50 feet left of the centerline of the location at survey station 3672+13.96 on the Hartsville-Maury transmission line; N. 08° 36' 31" E., 84.26 feet with the east edge of the right-of-way line for the Maury-Radnor #2 Tap to Rally Hill to a point where the right-of way line would intersect the southeast right-of-way line for the Hartsville-Maury transmission line and being 87.50 feet left of the centerline of the location at survey station 3671+75.57 on the Hartsville-Maury transmission line; and N. 71° 30' 00" E., 117.61 feet with the southeast edge of the right-of-way line of the Hartsville-Maury transmission line to the Point of Beginning and containing 0.24 acre, more or less.

The initial acquisition totaled 0.76 acre, more or less, the description for which was set out as TVA Tract Nos. HRM-267A and HRM-267B in Attachment 1 to the Declaration of Taking (DN 2-1) filed in Civil Action No. 1:09-cv-00010 before the United States District Court for the Middle District of Tennessee. To the extent that the initial area described exceeds the 0.24 acre parcel described above by 0.52 acre more or less, the interest acquired as to said 0.52 acre (being the 0.23 acre of HRM-267A and the southeastern 0.29 acre of HRM-267B, depicted by the shaded areas of US-TVA drawing MW-8726, R.1) involved rights which expired upon entry of an order and/or judgment so providing in Civil Action No. 1:09-cv-00010.

Recording Information: Record landowner as of the date of the filing of the Declaration of Taking — Cornerstone Land Company (Deed Book R-1995, page 254)

Tax map 44, parcel 028

4. The Clerk of this Court shall furnish to Plaintiff a certified copy of this Judgment which shall serve as a muniment of title.

IT IS SO ORDERED this the 23rd day of SEPTEMBER, 2010.


UNITED STATES DISTRICT JUDGE

We hereby approve and consent to the entry of this Judgment:

s/Thomas A. Robins

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